S.B.Cr.Misc. IInd Bail App. No.4842/2007

(Om Prakash & Anr. Vs. State of Rajasthan)

Date of order : December 06, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.B.S.Rathore, for the petitioners.
Mr.Ashok Upadhyaya, Public Prosecutor.

Heard learned counsel for the petitioners and the Public Prosecutor for the State. Perused the order impugned. I have carefully gone through the statements of the prosecution witnesses so far recorded.

It is contended by the learned counsel for the petitioners that all the material prosecution witnesses did not support the prosecution case and turned hostile and there is no evidence against the present petitioners.

I have gone through the statements of the prosecution witnesses so far recorded. It appears that the prosecution witnesses did not support the prosecution case and turned hostile.

Having considered the totality of facts and circumstances

of the case and taking into account the oral arguments advanced by both the parties, I think it just and proper to enlarge the accused petitioners on bail.

Accordingly, the bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioners Om Prakash s/o Gopa Ram and Puna Ram s/o Gepar Ram be released on bail in CR. No.201/2007, P.S. Mahamandir, Distt. Jodhpur provided each of them furnishes a personal bond in a sum of Rs.20,000/- with two sound and solvent sureties in the sum of Rs.10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR),J.

m.asif/-